

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT J. HOWELL, JR.,

Defendant.

CASE NO. CR21-0190-JCC

ORDER

This matter comes before the Court on Defendant's request to stay the pretrial motions briefing deadline (Dkt. No. 85). Having thoroughly considered the parties' briefing and the relevant record, the Court hereby GRANTS the motion.

Defendant filed combined pretrial motions on August 16, 2024. (*See* Dkt. No. 74.) However, before those motions were fully briefed, Defense counsel, at Defendant's request, moved *ex parte* for a *Faretta* hearing, seeking to proceed in this matter *pro se*. (*See* Dkt. No. 79.) The hearing on that motion is set for September 19, 2024. (*See* Dkt. No. 80.) The Government filed its response to Defendant's combined pretrial motions on September 13, 2024. (*See* Dkt. No. 82.) Defendant's reply is due on September 27, 2024. (*See* Dkt. No. 69.)

Now, Defendant seeks to stay the deadline to reply to the Government's response, pending disposition of his *Faretta* motion. (*See* Dkt. No. 85.) Defense counsel represents that, upon learning of their client's concerns, "counsel had to pause ongoing expert work and legal

1 research related to the combined pretrial motion.” (Dkt. No. 85 at 1.) The Government opposes.
2 (*See generally* Dkt. No. 86.) It indicates that while it “is acutely aware that the current case
3 schedule may be substantially altered by Howell’s recent request for a change in counsel,” it
4 nevertheless contends that a stay “will impose additional, and potentially unnecessary delay, in
5 the resolution of these motions,” and thus “place the parties in the position of having to prepare
6 for both dispositive motions and a trial simultaneously.” (*Id.* at 2.) The Court is unconvinced—a
7 stay of Defendant’s deadline to submit his reply is hardly an “unnecessary delay” in light of the
8 fact that Defendant is currently seeking to forgo the assistance of counsel entirely.

9 Accordingly, the Court GRANTS Defendant’s motion to stay the pretrial motions
10 briefing schedule (Dkt. No. 85) pending disposition of Defendant’s motion for a *Faretta* hearing
11 (Dkt. No. 79).

12 DATED this 16th day of September 2024.

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A handwritten signature in black ink, reading "John C. Coughenour", written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE